

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Wednesday, February 13, 2013

***** MORNING HOT LIST *****

DEP opens investigation of methane in Dimock water well

SCRANTON TIMES-TRIBUNE State environmental regulators are investigating high levels of methane in a Dimock Twp. water well in an area of the community still off-limits to some natural gas drilling operations because of a past methane incident. The Department of Environmental Protection began the investigation last week after it received a complaint of turbid water in a private well and later found "high levels" of methane dissolved in the water and airborne gas accumulating in the well, spokeswoman Colleen Connolly said. Tests at four other water wells did not show elevated levels of the gas, she said, but the state plans to continue monitoring. The home is near the Costello and Gesford well sites operated by Cabot Oil & Gas Corp. that the state is evaluating as part of its investigation, she said. It is also in a 9-square-mile area where the DEP has barred Cabot from drilling new wells until methane the state first linked to the company's operations in 2009 subsides in 18 water supplies. The water well now being investigated was not part of the earlier incident, Ms. Connolly said. Cabot spokesman George Stark said crews discovered that a line that vents shallow methane from the Costello well was frozen during a recent period of cold weather. Since the plug was cleared, levels of gas in the water well have decreased. "It appears to be a small and localized event," he said and added that Cabot will now monitor all its vent lines during extreme weather events. The company is providing the home with bottled water. The Gesford wells being evaluated were hydraulically fractured, or fracked, in November after the state lifted some of its restrictions on Cabot's operations in the area. The process of injecting chemically treated water and sand into rock formations at high pressure releases the gas trapped in the shale. Fracking has not been implicated in gas migration incidents in the region. Instead, past problems have been tied to faulty construction of gas wells.

Hearing board judge lets Dimock water appeal continue

SCRANTON TIMES-TRIBUNE A state Environmental Hearing Board judge has denied a natural gas drilling company's motion to throw out a recently reinstated appeal by two Dimock Twp. families who object to the state's remedy for their methane-tainted water supplies. Judge Bernard A. Labuskes Jr. rejected Cabot Oil & Gas Corp.'s argument that the families had forfeited their right to appeal by accepting payments that the company had put into escrow accounts for them. The money had been set aside as part of a Department of Environmental Protection order that required the company to restore or replace 18 damaged water supplies. The families have argued that the remedy outlined in the order -- payments tied to the value of their homes and a now-expired offer to install treatment systems -- is not sufficient to permanently replace their water wells and would not remove contaminants other than methane. Cabot denies that its operations affected the water supplies. The two families, the Elys and Huberts, are the last of 12 that initially appealed the state's order with Cabot. The others withdrew their hearing board appeals after they settled a separate lawsuit they brought against the company in federal court. The Ely and Hubert appeals were briefly withdrawn by their former attorneys without their consent in an "unauthorized --inaccurate, ineffective, and void" action Judge Labuskes said was made by "attorneys who no longer had [the families'] interests at heart." In his ruling on Friday, Judge Labuskes upheld the reinstatement of the two families' appeals and found that their receipt of the escrow payments did not preclude them from continuing their case. "So long as a party is aggrieved by a Departmental action, it may pursue an appeal, even if its receipt of some benefits make it less aggrieved than it otherwise might have been," he wrote. He also pointed out that Cabot had committed "very clearly" to the board in the past that it would not

take the position that the families waived their rights or any claims against the company, including their right to continue with the appeal, if they accepted the escrow funds.

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DEP Says Marcellus Air Emissions Data Show Small Footprint

STATE IMPACT PENNSYLVANIA The Pennsylvania Department of Environmental Protection Secretary Michael Krancer says air emissions associated with Marcellus Shale production are a "small fraction of air pollution in the state." The DEP announced the release of air emissions data collected in 2011. In the announcement, Secretary Krancer stressed that air emissions in the state have dropped since drilling began in earnest back in 2008. "It is worth noting that annual sulfur dioxide emissions are down more than half a million tons per year from where they were in 2008," Krancer said in a press release. "This is a direct result of air quality regulations and the increased use of natural gas in the power generation sector." DEP says studies of air emissions associated with natural gas drilling conducted in 2010 showed no danger of health impacts, nor did they rise above the federal ambient air quality standards for carbon monoxide, nitrogen dioxide, sulfur dioxide and ozone. But a study released last month by the Rand Corporation says potential environmental and health related costs of Marcellus air pollution ranged between \$7.2 million and \$32 million. The Report, "Estimation of regional air-quality damages from Marcellus Shale natural gas extraction in Pennsylvania," also acknowledged that shale production air emissions were not the largest source of air pollution in the state. But, the Rand report says some regions could be significantly impacted by the activity.

Feds seek access to development site near Detrick

FREDERICK NEWS-POST The federal government wants access to a residential development site near Fort Detrick's Area B to drill wells and complete groundwater testing. In a letter obtained by The Frederick News-Post on Tuesday, the U.S. Environmental Protection Agency said that Rocky Gorge Development LLC has repeatedly ignored requests from the Army to gain access to monitor the 90-acre Shookstown Road property. The development company was given one week to respond to the EPA directive. A company leader confirmed receiving the letter Monday. "EPA believes the proposed work is necessary and appropriate to better understand the nature and extent of contamination migrating from the Fort Detrick Area B Superfund site, and to ensure the protection of human health and the environment," wrote Paul Leonard, associate director in the EPA Office of Federal Facility Remediation and Site Assessment, in the Feb. 8 letter. According to the letter, the Army has repeatedly sought access to the property since March 2011. The Army wants to extend its groundwater testing by installing wells, the letter stated. The risk is there, according to Leonard's letter, that unsafe levels of chemicals could have leaked from Area B to the adjacent property set for development.

Obama promises climate action

WASHINGTON POST While President Obama called on Congress to pass the same kind of cap-and-trade legislation which died in 2010, urging it “to pursue a bipartisan, market-based solution to climate change,” no such bill is likely to pass in the next two years. The president acknowledged this in his speech, saying, “But if Congress won’t act soon to protect future generations, I will.” “I will direct my Cabinet to come up with executive actions we can take, now and in the future, to reduce pollution, prepare our communities for the consequences of climate change, and speed the transition to more sustainable sources of energy,” he added. Obama did not specify if the Environmental Protection Agency would regulate greenhouse gas emissions from existing power plants, which would have the biggest impact on America’s carbon output. But this remains a viable policy option, along with directing federal funds to help communities adapt to climate change and promoting renewable energy development on public land. EPA may also take other measures aimed at cutting air pollution in an Obama second term, whether it’s limiting cruise ship pollution or setting a tighter standard for smog-forming ozone. But the president was silent on one of the most contentious climate issues he will face: whether to grant a presidential permit to the Keystone XL pipeline project.

Federal workers’ unions rally near Capitol to protest sequestration

WASHINGTON POST Public servants were out in force Tuesday, protesting potential federal budget cuts that would severely hinder their ability to serve the public. Hours before the State of the Union address, members of the American Federation of Government Employees (AFGE), the American Federation of State, County and Municipal Employees (AFSCME), and other labor organizations gathered in a park across from the Capitol, where President Obama was scheduled to give his annual report to Congress. “Hey, hey, ho, ho, sequestration’s got to go,” the union members chanted, hoping the message would get through to lawmakers on Capitol Hill. The workers were protesting the automatic, across-the-board budget cuts known as sequestration, which will take effect March 1 unless Congress acts to prevent them. The reductions are designed to save \$85 billion through the end of this fiscal year. To get there, agency budgets would be reduced by 9 percent, except for the Defense Department’s, which would take a 13 percent hit. Employees in all agencies, except the Department of Veterans Affairs, would probably be required to take unpaid leave or furlough days. “We’re trying like hell to stop it,” AFGE President J. David Cox Sr. said before mounting a platform to address the rally. He was followed by AFSCME President Lee Saunders and AFL-CIO President Richard L. Trumka. Looking at the crowd dressed in union colors, Cox noted the green and blue, then said: “Congress is looking at red. They want our blood.” In the Capitol across the street, there was a sense of urgency that something must be done — which is not the same as optimism that something will be done. The workers want Congress to do its job, just as Congress expects federal workers to do theirs. They get their jobs done far better than the politicians on the Hill do.

Commentary: Obama must act on climate change

PHILADELPHIA INQUIRER This weekend I will be camping in the heart of the Pennsylvania Wilds, in the north-central part of the state, to attend an annual wild game feed. The Wilds provide more than two million acres of lush forests, mountain trails, and cold streams in which to be active. Peering out into the Kinzua Gorge from the Kinzua Bridge Skywalk brings a lot into focus in February: It raises questions about how much of what you look down on from 301 feet will remain for future generations. Simply put, how much of the wildlife that calls Pennsylvania home will continue to commune with us in the face of a changing climate? The National Wildlife Federation (NWF) has just released a report, “Wildlife in a Warming World: Confronting the Climate Crisis,” that speaks to the deteriorating outlook for some of America’s most iconic species including moose, sandhill cranes, and sea turtles. As Superstorm Sandy demonstrated, extreme weather fueled by climate change can turn coastal habitats upside down. Of the 72 national wildlife refuges along the Atlantic coast, many of them an easy drive from Philadelphia, 35 were temporarily closed because of the storm’s devastation, not to mention the widespread destruction of property and infrastructure. Where our avian friends are concerned, a recent study looked at 305 species of birds in North America and found that 177 have expanded their range northward by an average of 35 miles in the last four decades. Scientists tell us that if we don’t act now, temperatures will rise 7 to 11 degrees within the lifetime of a child born today. How should we confront this crisis? We can take our cue from Teddy Roosevelt, our 26th president, who said, “The health and vitality of our people are at least as well worth conserving as their forests, waters, lands, and minerals, and in this

great work the national government must bear the most important part." President Obama echoed that sentiment in his recent inaugural address: "We will respond to the threat of climate change, knowing that our failure to do so would betray our children and future generations. ... That is how we will maintain our economic vitality and our national treasure - our forests and waterways; our croplands and snow-capped peaks."

EPA: Rulemaking chops seen as edge for 2 inside candidates to replace Jackson

GREENWIRE With U.S. EPA Administrator Lisa Jackson leaving the agency today, two of her lieutenants are being discussed in Washington, D.C., as leading candidates to succeed her. Deputy Administrator Bob Perciasepe and EPA air chief Gina McCarthy -- both with extensive experience at EPA and as state regulators -- have the regulatory chops that environmentalists prize and also have reputations for giving industry a seat at the table for rulemakings. With major regulations in the offing -- notably, greenhouse gas standards for new and existing power plants -- industry representatives say an ability to work with business is badly needed. "I hope the president doesn't pick someone who will be overwhelmed with scoring political points instead of constructive work," said Scott Segal of Bracewell & Giuliani's Policy Resolution Group. "Frankly, the environmental and the energy arena is polarized enough without that." A seasoned politician, former Washington Gov. Christine Gregoire (D) has been mentioned as a possible Jackson successor and so has California Air Resources Board Chairwoman Mary Nichols, who was EPA air chief under President Clinton until 1997. But most agency watchers are giving the edge to McCarthy and Perciasepe because of their experience on rulemaking in President Obama's first term and relationships with the electric utility industry. Perciasepe, who now serves as acting administrator, was EPA's top water official and later the top air official under Clinton. He has been chief operating officer at the National Audubon Society and served as Maryland's environment secretary. McCarthy oversaw the office responsible for the agency's highest-profile rulemakings in Obama's first term, including for carbon dioxide, sulfur in gasoline and first-time federal efforts to regulate hydraulic fracturing. She came to EPA after serving as a top state regulator in Connecticut and Massachusetts. McCarthy's gender might also make her an attractive choice for Obama, who has been criticized for nominating white males to his second-term Cabinet. He did nominate a woman, Recreational Equipment Inc.

PENNSYLVANIA

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treasure - our forests and waterways; our croplands and snow-capped peaks."

Blog: "pOrnithology" and other matters of birds and birds and bees Science is getting snazzier (and, perhaps, sexier) by the minute. Witness: Wednesday night's Valentine's Day-related program at the Wagner Free Institute of Science in Philadelphia is about the courtship rituals of birds. George Armistead, of the American Birding Association, "will review the interesting reproductive strategies and associated unusual behaviors of birds looking for a mate—essentially, what bird foreplay looks like!" the Institute says, with obvious gusto. So, of course, they needed a catchy name, and they certainly came up with one: "pOrnithology: The birds and the birds and the bees." The lecture begins at 5:30 p.m., and admission is free, although a donation is suggested. Also in the catchy category: The Academy of Natural Sciences of Drexel University is holding its "Paleopalooza" fossil event this Saturday and Sunday. "Get your fossil on!" the Academy urges. Come learn about scales and dinosaurs, listen to the Diggity Dudes (a band whose members include "Mr. Molecule,") and watch out for the roving fossil juggler. This is all just too much fun.

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PITTSBURGH TRIBUNE REVIEW

DEP calculates health benefits of reduced air pollution; methodology questioned Pennsylvania's air quality improvement resulted in \$14 billion to \$37 billion in annual public health benefits, in part because of a shift to more natural gas power generation, state environmental officials said on Tuesday. Environmental groups immediately questioned the figures. The state mandated that gas producers and pipeline companies provide data about pollutants and tallied air impacts as part of an effort to judge air pollution resulting from the gas drilling boom. The industry's primary pollution comes from ozone-causing nitrogen oxides and carbon monoxide — more than 23,000 tons per year combined — but is less than 9 percent of what other industries produce, according to the data. Replacing coal with natural gas to generate electricity provided large reductions in overall pollution, the state Department of Environmental Protection said. The DEP calculated drastic reductions in pollution statewide and billions of dollars of public benefits from fewer sick days, fewer hospital and doctor visits, and longer lives. Environmental groups questioned the DEP's methodology behind the calculations. The Garfield-based Group Against Smog and Pollution wrote the agency about drilling and processing companies it left out. The agency didn't create a uniform method for companies to measure and report data, said George Jugovic Jr., leader of Citizens for Pennsylvania's Future. It "is a bit like telling two people to measure the amount of water in a bathtub without knowing that one was using a bucket and the other a ruler," Jugovic, a former DEP official, said in an email. "How do you know the margin of error unless you know the accuracy and precision of how the numbers were derived?" There are several ways to calculate emissions, depending on each company's technology, DEP spokesman Kevin Sunday said. All were verified through other regulatory efforts and the department gave each company the flexibility to use what's best, Sunday said. "The results are valid," Sunday said. The department made the emission data available online at bit.ly/SPZ7mP.

Pennsylvania American Water to begin spring water line upgrade in Butler, Allegheny counties Pennsylvania American Water will replace more than three miles of aging water mains in Butler County. The work is expected to begin in the

spring. Some of the lines scheduled for replacement date to the early 1900s, according to Jake Gentile, Pennsylvania American Water's operations superintendent. "The new pipe will provide improved reliability, as well as enhanced water pressure and fire protection for our customers," Gentile said. The work will last for several months and cost about \$3.6 million. A distribution system improvement charge tacked onto customers' bills will pay for the work, according to spokesman Gary Lobaugh. The average residential customer whose annual water bill is \$618 will pay an additional \$22 a year for the improvements. The company has been upgrading its infrastructure throughout the region, including spending \$10 million to rehabilitate its Lake Oneida Dam and Reservoir in Oakland, Butler County, and spending more than \$100 million to upgrade water treatment facilities in the Pittsburgh area. The company also will replace more than five miles of water mains in Pittsburgh and surrounding communities at a cost of about \$7 million. During the work, the company said, customers may experience temporary interruptions in their service, low water pressure or discolored water. Affected customers are being notified by mail.

DELAWARE COUNTY DAILY TIMES

PPL Interstate Energy pipeline set for 'ground to sky' clearing An underground oil pipeline that has been dormant for over a year is scheduled for "ground to sky" clearing this year. The Delco municipalities and individual property owners that will be affected will be notified when maintenance work in their area is pending. The 18-inch diameter PPL Interstate Energy pipeline is 85 miles in length, coming to Delaware County from a PPL power plant located on the Delaware River near Easton. The section of pipeline that will be cleared in 2013 is 52 miles long, running from Marcus Hook to Quakertown. Although the pipeline is now dormant, it may be reactivated in the future, according to Gary Warfield, a PPL pipeline maintenance supervisor. The periodic clearing of all obstructions over the pipeline is done to open up the vegetation canopy to allow patrolling pilots to spot leaks and third-party activity. While the pipeline right-of-way is mowed annually, side trimming and clearing is done less frequently and is more intrusive, and occasionally generates calls from concerned homeowners. Any concerned resident is free to request identification from PPL maintenance workers to put their concerns to rest, Warfield noted.

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weather. Since the plug was cleared, levels of gas in the water well have decreased."It appears to be a small and localized event," he said and added that Cabot will now monitor all its vent lines during extreme weather events. The company is providing the home with bottled water. The Gesford wells being evaluated were hydraulically fractured, or fracked, in November after the state lifted some of its restrictions on Cabot's operations in the area. The process of injecting chemically treated water and sand into rock formations at high pressure releases the gas trapped in the shale. Fracking has not been implicated in gas migration incidents in the region. Instead, past problems have been tied to faulty construction of gas wells._

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TOWANDA DAILY REVIEW

Penn State to study Marcellus Shale Wyalusing Area School District voted unanimously Monday to allow a team of Penn State University researchers to conduct interviews with students and staff about Marcellus Shale development. The team, consisting of Dr. Kai Schafft and graduate student Catherine Biddle, will be gathering information for a Center for Rural Pennsylvania project. The project's goal is to generate policy-relevant research on issues of importance to rural Pennsylvania that will then be funneled back to legislators and policy makers. The proposal, which was made to Superintendent Dr. Chester Mummau, stated that at present time, "...it's hard to imagine an issue that has a larger profile for rural Pennsylvania than Marcellus Shale development...." The project will be looking not only at the impacts of the gas industry on education and youth, but also government, housing, health, agriculture. Specifically for Wyalusing Area School District, the focus will be on how the district responds to gas related issues, and whether or not the gas industry will affect the way young people think about their future.

MONTGOMERY COUNTY NEWS HERALD

Wissahickon Valley Watershed Association appoints new executive director LOWER GWYNEDD — When Dennis Miranda was 8 years old, man landed on the moon. Miranda spent so much time looking outside the window during class that his teacher called him “Mr. Moon Man.” But what he was really looking at were the birds. Now, Miranda is taking over the position of executive director of the Wissahickon Valley Watershed Association, and he seems just as interested at what’s outside his window at the watershed’s headquarters in Ambler. Miranda grew up in New Jersey but

was recently working in Gainesville, Fla., as the executive director of the Florida Trail Association. Now he's back in the Northeast and said he was happy to get back to his roots. "I'm home, doing what I love to do, with a great organization, a great staff and a great cause that has no end," he said. In his new position, Miranda said he is looking forward to educating new generations of people to embrace the outdoors as well as preserve the national heritage of the Wissahickon Valley. Other concerns include monitoring water resources, preserving open space along the Wissahickon Creek and managing natural resources for future generations.

HAWLEY NEWS EAGLE

PALMYRA TWP. (Wayne) Rt 6 sewer project gets added funding At the start of the February 4, Palmyra Township (Wayne) meeting, Supervisor Chairman and Assistant Road Master Pete Steffen took a minute to recognize the passing of Ed Grissler, who served the township on the zoning hearing board. The township has been awarded an additional \$150,000 towards the township's sewer project, Steffen said. The funding, he said, will help keep the cost down for commercial customers and owners. He explained that the funding is part of a local share-grant that was generated from Mount Airy Casino. At the January 6 meeting, the board discussed expanding the township building for a comfort station for usage in emergency situations like Hurricane Sandy in October. By this time next year, Steffen said he would like the township to be in a position where the township could receive additional funding for the construction site. He added, that he does not want "to lose focus on that," and to "keep that on the front burner." Once the township has all of its "ducks in a row" Steffen said the board could work on another grant.

POTTSVILLE REPUBLICAN HERALD

Sewer authority to spend \$25,000 to study stormwater flow To make sure 230 property owners on Pottsville's west end and in Mount Carbon are in compliance with the state-mandated stormwater/sewer separation project, the Greater Pottsville Area Sewer Authority will start knocking on doors. Specifically, the authority has hired Trenchless Resources and Consultants, Mechanicsburg, at a cost of \$25,000, to inspect the properties, which extend from 20th Street west, Timothy R. Yingling, the sewer authority's executive director, said at city council's February meeting Monday night. "Inspectors will begin by going house to house, without appointments, looking at connections in basements to ensure that if sump pumps are in place, they are properly connected. They will also look at roof leaders, area drains and other potential connections to confirm that they discharge appropriately to above-ground or storm water drainage and not the sewer system," Yingling said. Inspections will also be done at some businesses, he said. "Properties with a correct connection system will be documented as 'property separation complete.' Properties (that) have improper stormwater connections to the sewer system will be subsequently notified by the authority and will be required to correct any confirmed deficiencies," Yingling said.

DuBOIS COURIER EXPRESS

Brockway council votes not to adopt drilling ordinance The Brockway Borough Council voted not to adopt an ordinance to ban drilling from the watershed that provides Brockway's water. Many residents came to the meeting to support the ordinance but the council was advised that there is no legal standing for the ordinance. The council offered support for future action taken to protect the water supply. Last month, according to a previously published story, several concerned citizens presented the council with a proposed ordinance to ban activities associated with Marcellus shale drilling. Of primary concern is seismic testing, in which explosive charges are detonated in an effort to identify potential gas reservoirs. Municipal Authority member Tino Genevro told the council at its January meeting that a study revealed 62 springs supplying the watershed. He is concerned with the impact seismic testing could have on them, especially in light of an incident last year when an artesian well stopped flowing for about 29 hours after an aquifer was pierced during the drilling process.

The ordinance would cover the extraction of shale gas, seismic exploration, siting disposal injection wells, disposing of shale gas waste into the water, air or land or siting supporting infrastructures such as pipelines, compressor stations or retention ponds

WARREN TIMES-OBSERVER

Money to 'waste' -- City approves funding for treatment plant upgrade Pennsylvania will be putting some money to 'waste' in Warren. At a special meeting Monday, Warren City Council approved a state grant and loan package for

improvement work on the city's wastewater treatment system. Funding will go toward completion of improvements to the city's wastewater treatment plant and pump stations, which are projected to cost approximately \$24,525,000. On Jan. 22, the city was awarded a \$4,508,277 grant through the Pennsylvania Infrastructure Investment Authority (PENNVEST) program. The grant is accompanied by a low-interest loan of \$19,491,723 provided at a one percent interest rate over 30 years. According to council member Dr. Howard Ferguson, council "approved the whole package. Both the grant and the loan portions" on Monday. PENNVEST funding is being supplemented with a local contribution of approximately \$525,000 toward the project. Council member Sam Harvey explained that the city has spent, "about \$300,000," on engineering work for the project, noting that the figure was not an exact number. He said the city has more money earmarked for further engineering expenses, which will make up the bulk of local contributions for the project.

Drilling Dollars -- County getting \$53,127 in Act 13 funds from state While Act 13 money fees from shale gas development haven't been a windfall for Warren County, decisions still must be made regarding how the money received will be spent. According to documentation from the Pennsylvania Public Utilities Commission, Warren County has been allotted \$17,651.21 for the wells currently in the county plus \$35,475.88 from the Marcellus Legacy Fund. In total, the county was awarded \$53,127.09. In addition to funding that went to the county, municipalities throughout the county also received allotments. "We can only use it on a PennDOT approved TIP" project, County Planner Dan Glotz said on Tuesday. The TIP is the county's transportation improvement plan. "We can only use it on state or local bridges or local roads," he added. "Right now (projects on the TIP) would be the only projects that would be eligible. We have the ability to amend the TIP" if additional finding is available. Warren County Commissioner Chairman Stephen Vanco, who serves with Glotz and Transit Authority of Warren County Director John Aldrich on the five-county Rural Planning Organization by which the TIP is designed, said on Thursday that "personally, I would like to see it used in municipalities. It's not a great amount when you get into projects like bridges, but if we could help municipalities on the engineering" it would still be a benefit.

WASHINGTON, D.C.

WASHINGTON POST

Obama promises climate action While President Obama called on Congress to pass the same kind of cap-and-trade legislation which died in 2010, urging it "to pursue a bipartisan, market-based solution to climate change," no such bill is likely to pass in the next two years. The president acknowledged this in his speech, saying, "But if Congress won't act soon to protect future generations, I will." "I will direct my Cabinet to come up with executive actions we can take, now and in the future, to reduce pollution, prepare our communities for the consequences of climate change, and speed the transition to more sustainable sources of energy," he added. Obama did not specify if the Environmental Protection Agency would regulate greenhouse gas emissions from existing power plants, which would have the biggest impact on America's carbon output. But this remains a viable policy option, along with directing federal funds to help communities adapt to climate change and promoting renewable energy development on public land. EPA may also take other measures aimed at cutting air pollution in an Obama second term, whether it's limiting cruise ship pollution or setting a tighter standard for smog-forming ozone. But the president was silent on one of the most contentious climate issues he will face: whether to grant a presidential permit to the Keystone XL pipeline project.

Federal workers' unions rally near Capitol to protest sequestration Public servants were out in force Tuesday, protesting potential federal budget cuts that would severely hinder their ability to serve the public. Hours before the State of the Union address, members of the American Federation of Government Employees (AFGE), the American Federation of State, County and Municipal Employees (AFSCME), and other labor organizations gathered in a park across from the Capitol, where President Obama was scheduled to give his annual report to Congress. "Hey, hey, ho, ho, sequestration's got to go," the union members chanted, hoping the message would get through to lawmakers on Capitol Hill. The workers were protesting the automatic, across-the-board budget cuts known as sequestration, which will take effect March 1 unless Congress acts to prevent them. The reductions are designed to save \$85 billion through the end of this fiscal year. To get there, agency budgets would be reduced by 9 percent, except for the Defense Department's, which would take a 13 percent hit. Employees in all agencies, except the Department of Veterans Affairs, would probably be required to take unpaid leave or furlough days. "We're trying like hell to stop it," AFGE

President J. David Cox Sr. said before mounting a platform to address the rally. He was followed by AFSCME President Lee Saunders and AFL-CIO President Richard L. Trumka. Looking at the crowd dressed in union colors, Cox noted the green and blue, then said: "Congress is looking at red. They want our blood." In the Capitol across the street, there was a sense of urgency that something must be done — which is not the same as optimism that something will be done. The workers want Congress to do its job, just as Congress expects federal workers to do theirs. They get their jobs done far better than the politicians on the Hill do.

Blog: State of the Union: What Obama did and didn't say about the federal workforce President Obama's State of the Union speech on Tuesday covered some of the most pressing issues of the day, including gun control, immigration, employment and the national debt. But it hardly mentioned the federal workforce, which faces serious concerns about the threat of cutbacks. Obama's closest reference was a remark about the deep automatic spending reductions known as sequestration, which will take place if Congress fails to come up with an alternative deficit-reduction plan by March 1. The president described the provisions as "sudden, harsh, arbitrary cuts." From there, Obama quickly moved on to drawing a line, saying he would not slash entitlement programs to avoid those impacts. "Some in this Congress have proposed preventing only the defense cuts by making even bigger cuts to things like education and job training, Medicare and Social Security benefits," the president said. "That idea is even worse." Obama later suggested a compromise, saying he could "embrace the need for modest reforms" to Medicare, which is the federal health-care program for retirees.

Extreme weather, climate change linked President Obama made an explicit link between extreme weather and climate change during his speech Tuesday night, the way he did in his second inaugural address and during his victory acceptance speech. Obama intends to use the bully pulpit to emphasize the threat global warming poses, aides and supporters say, in order to build public support for future efforts to cut greenhouse gases. "We can choose to believe that Superstorm Sandy, and the most severe drought in decades, and the worst wildfires some states have ever seen were all just a freak coincidence," he said. "Or we can choose to believe in the overwhelming judgment of science — and act before it's too late."

Obama stresses energy efficiency While energy efficiency has often occupied a low-profile in the nation's climate debate, Obama gave it plenty of air time on Tuesday night. "I'm also issuing a new goal for America: let's cut in half the energy wasted by our homes and businesses over the next twenty years," he declared. "We'll work with the states to do it. Those states with the best ideas to create jobs and lower energy bills by constructing more efficient buildings will receive federal support to help make it happen." Many experts have identified increasing energy efficiency as the cheapest and most effective way to lower greenhouse gas emissions; the Alliance to Save Energy has outlined how to achieve Obama's goal in its Energy 2030 plan. There are a handful of steps the administration can take on its own, such as the Energy Department issuing tighter standards for both consumer appliance and business equipment under current law. But Obama made it clear his administration will also leverage its influence with the states by establishing an "Energy Efficiency Race to the Top" program. That program aims to encourage states to cut waste, through measures such as adopting tighter building efficiency standards and making it easier for industrial facilities to combine their heat and power generation.

Employee groups urge House to allow federal pay raises A coalition of unions and other organizations representing federal employees is asking Congress to allow a 0.5 percent federal employee raise set for April to take effect. The 31-member Federal-Postal Coalition on Monday sent a letter to House members urging them to vote against a bill to keep salary rates frozen through the rest of the calendar year, a measure that could reach the House floor late this week. The House Rules Committee has scheduled a meeting for Wednesday afternoon that could clear the bill for floor voting. "Make no mistake; this vote is about how members of Congress reward hardworking middle-class public servants who take care of our veterans, who guard our borders, who maintain our military's hardware, who take criminals off our streets and keep them behind bars and who provide the intelligence needed to thwart terrorism," the letter says. "After a two-plus year pay freeze, they have earned, at least, the modest 0.5 percent pay increase proposed by the President." Federal employee salary rates have not been increased since January 2010, although many individuals have continued to receive raises on promotion, for performance, or on moving up the steps of their pay grades, in occupations using such systems. The freeze originally was enacted to cover only 2011 and 2012 but was extended through late March under a temporary budget measure set to expire late next month. Under an executive order, the 0.5 percent raise will take effect in April unless it is prevented. The House last year voted several times to extend the pay rate freeze through

all of 2013 and beyond but the Senate never took up those measures nor formally took any other position on a 2013 pay raise

DELAWARE

DELAWARE CAPE GAZETTE

Residents rally to protest RV park About 100 people rallied along the shores of Love Creek near Lewes on a cold Saturday morning to oppose a proposed RV campground. Residents from more than 10 communities in the area took part in the Feb. 9 rally at the Briarwood Estates clubhouse off Route 24. Many appeared with "Stop RV City" signs and chanted that slogan throughout the rally. Plans to develop a 162-acre campground for RVs, tents and cabins have ...

Lee seeking another term on Lewes BPW Pres Lee is seeking a second term on Lewes Board of Public Works. He filed his application on Feb. 1, the first day possible. "I've thoroughly enjoyed the past two years on the board and feel that I have made a significant impact on its operation. I think my experience as a registered professional engineer has significantly improved the public works project administration, design and construction review capabili...

WEST VIRGINIA

ASSOCIATED PRESS (W. VA.)

Sustainable schools summit planned in Charleston CHARLESTON, W.Va. -- A sustainable schools summit is being planned in Charleston. The free event is scheduled for April 28 and 29 at the Ramada Inn. It is aimed at encouraging educators, administrators and others to increase earth-friendly initiatives that help save water and energy, and reduce waste. The summit is sponsored by the state Department of Environmental Protection and ZMM Architects and Engineers. The registration deadline is April 1.

WVU, OSU partner on shale energy research MORGANTOWN, W.Va. -- Ohio State University and West Virginia University are creating a partnership aimed at developing Appalachia's shale energy industry. The schools say they've signed a memorandum of understanding to develop a joint program on shale energy research. The research will look at issues related to shale development, including the economic implications of natural gas and other hydrocarbons. They'll also study the possible impacts on the environment, local communities and public health. Officials say the schools will exchange information and jointly explore funding of shale energy and related environmental studies, including the possibility of developing shale energy field laboratories.

State getting \$1.4M to fix storm-damaged roads CHARLESTON, W.Va. -- West Virginia is getting \$1.4 million in emergency relief funds to pay for fixing storm-damaged roads in the state. Rep. Nick Rahall and Sens. Jay Rockefeller and Joe Manchin announced the award from the U.S. Department of Transportatio...

MARYLAND

BALTIMORE SUN

Lawmakers seek steeper fines for sewage spills Bills would raise penalties, require state to tally annual overflows. Lawmakers and representatives of Maryland's county and municipal governments sparred Tuesday over a pair of bills in Annapolis that would raise the fines for sewage spills which annually dump millions of gallons of untreated waste into local waters and the Chesapeake Bay. One measure, SB289, sponsored by Sen. Bryan W. Simonaire, an Anne Arundel County Republican, would boost the maximum administrative penalty for a water pollution violation from \$5,000 to \$10,000 per day. The other, SB302, put in by Simonaire and Sen. Barry Glassman, a Harford County

Republican, would also raise the maximum civil penalty from \$10,000 to \$20,000, while requiring the Maryland Department of the Environment..._

SALISBURY DAILY TIMES

Study looks at Wicomico sustainability SALISBURY — Warning: This article is about sustainability. If Robyn Stuber had her way, such disclaimers wouldn't be necessary. Communities would decide what that six-syllable hunk of jargon means for themselves and plot their future accordingly. That sentiment underlies the former Eastern Shore planning consultant's doctoral thesis at the University of North Carolina at Charlotte. She hopes her efforts lay the groundwork for Wicomico County's first plan dedicated to preserving and promoting its environmental, social and economic assets. "The community has to define sustainability for itself," said Stuber, who helped shape the county's current comprehensive plan as a consultant with Sparks, Md.-based KCI Technologies. "You can't do anything unless your community supports it." Her approach stands in stark relief to traditional planning campaigns, which are largely directed by experts in the field and elected officials, said Stuber, who is pursuing a degree in geography and sees her future in teaching. Public opinion often isn't sought until most of the work is already done. She chose Wicomico because of its proximity to the Chesapeake Bay and its lack of a sustainability plan. Most working definitions of "sustainability" are quite broad and open to interpretation, she said. After all, what it means in Frederick County, which is home to a county office of environmental sustainability, may be different from its definition in Wicomico. And no, it doesn't have to be all about global warming and recycling. A favorite representation of the concept among experts shows three intersecting circles labeled "economy," "society" and "environment." "I'd like to make sure all three pillars are represented," Stuber said. "To a lot of people, transportation is a big deal. If it floods due to sea-level rise and there's a major road that closes, do people care?"

Letter: 'Septic bill' designed for rural areas like Wicomico The Daily Times editorial regarding the Sustainable Growth and Agricultural Preservation Act of 2012, Senate Bill 236, employs the oft-used argument against state-level initiatives that they only make sense for "urban" areas. One can always debate whether we should improve our efforts to limit development on septic systems on agricultural and forest land, but let's not muddy the water by tagging this as an urban-focused idea. In fact, this legislation was modeled after Worcester and Kent counties, which are both less "urban" than Wicomico County. Local plans, policies and location of sewer service drive how the four tiers are to be mapped. It is also worth noting that Wicomico County currently has twice the land supply in its existing Priority Funding Area (essentially the county's growth area) than it needs to accommodate the 25-year growth projection. To date, a mix of 13 urban, suburban and rural counties have submitted their tier maps (although local governments are not required to submit maps). My agency has disagreed with three of these maps. We recently signed off on a neighboring county's map: Somerset.

MARYLAND GAZETTE NEWSPAPERS

Montgomery College LEEDing the way The U.S. Green Building Council has ranked Maryland sixth in the nation for new LEED certifications in 2012. The District of Columbia and Virginia took the top two spots. LEED, or Leadership in Energy and Environmental Design, is a certification system for environmentally friendly design. A release from the council singled out the Montgomery College Science Center in Rockville, which is LEED Gold certified, as one of the most significant certified projects of the year.

Smoking ban gets tougher in Montgomery County With a few exceptions, smokers must soon step off Montgomery County property to enjoy a cigarette, cigar or pipe. The County Council unanimously approved a bill Tuesday extending the local smoking ban to most county property. The bill, proposed by Councilwoman Nancy Floreen (D-At large) of Garrett Park, extended protections for nonsmokers beyond the county's existing indoor smoking ban. It is currently illegal to smoke in most shared workspaces, private businesses, government buildings, rail stations, and eating and drinking establishments with a seating capacity of 50 or more.

reCYCLE Public Art Project in Old Takoma Seats are the theme for this year's Old Takoma Business Association reCYCLE Public Art Project. Interested artists are asked to create imaginative seats made from re-purposed or recycled materials, which will be installed in small clusters to create seating areas along the sidewalks of Old Takoma from June to October. Existing seats may be re-interpreted with paint or other embellishments or new forms of seating may be

created.

Frederick officials prod lawmakers for transportation funding Lawmakers may have come for the food, but if Frederick Alderman Carol Krimm has her way, they'll also get an earful about transportation funding. "If I see any Appropriations [Committee] members, or Budget and Taxation senators, I'm talking to them about 'Do not cut the highway user fees,'" said Krimm (D) at City of Frederick Day in Annapolis on Tuesday, where city officials trotted out development projects alongside lunch. Del. Steven J. DeBoy Sr. (D-Dist. 12) of Arbutus was one such delegate cornered by Frederick officials and urged to ensure that transportation funds are not cut from the budget. "We recognize that it [transportation funding] has been reduced over the years," said DeBoy, vice chairman of the Transportation and Environment Subcommittee of the Appropriations Committee. "So there's an effort to keep it where it's at."

FREDERICK NEWS POST

Feds seek access to development site near Detrick The federal government wants access to a residential development site near Fort Detrick's Area B to drill wells and complete groundwater testing. In a letter obtained by The Frederick News-Post on Tuesday, the U.S. Environmental Protection Agency said that Rocky Gorge Development LLC has repeatedly ignored requests from the Army to gain access to monitor the 90-acre Shookstown Road property. The development company was given one week to respond to the EPA directive. A company leader confirmed receiving the letter Monday. "EPA believes the proposed work is necessary and appropriate to better understand the nature and extent of contamination migrating from the Fort Detrick Area B Superfund site, and to ensure the protection of human health and the environment," wrote Paul Leonard, associate director in the EPA Office of Federal Facility Remediation and Site Assessment, in the Feb. 8 letter. According to the letter, the Army has repeatedly sought access to the property since March 2011. The Army wants to extend its groundwater testing by installing wells, the letter stated. The risk is there, according to Leonard's letter, that unsafe levels of chemicals could have leaked from Area B to the adjacent property set for development.

VIRGINIA

ROANOKE TIMES

Furnace leak damages Radford foundry Nobody was injured after thousands of pounds of molten iron leaked at a Radford foundry early Monday morning. Radford Fire Chief Lee Simpkins said his department responded to the Grede foundry on West Main Street in Radford after an estimated 12,000 to 15,000 pounds of iron leaked out of one of two large furnaces there. Simpkins said the leak began because the furnace, which melts iron that will later be poured into a mold, developed a hole. Simpkins said his department evacuated everyone working at the foundry and spent about an hour assisting with the cleanup. He said some equipment in the factory was damaged. "When these things happen, the danger is if the water gets under the iron, you get an explosion," he said. "There's no way to stop molten iron. You just have to let it leak and hope and pray for the best." Fire personnel watched the iron until it was stabilized. Simpkins said there's no estimate on damage costs to the foundry.

ASSOCIATED PRESS (VA.)

Va. highway contractor faces pollution charges A state highway contractor is facing pollution charges in Norfolk. The Virginian-Pilot (<http://bit.ly/11G5jbF>) reports that a fire marshal charged TME Enterprises with polluting stormwater and illegally dumping solid waste. Details of the charges weren't immediately available. TME Enterprises President Matt Ehrenzeller says the company is trying to get more information on the charges from the city. He says the company also is doing its own investigation because it has strict policies regarding the environment. Both charges are misdemeanors. A hearing is set for March 19. TME Enterprises maintains the interstates in South Hampton Roads under a contract with the Virginia Department of Transportation.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

Obama Vows to Take Action on Climate, Push for Permanent Clean Energy Tax Breaks President Obama in his Feb. 12 State of the Union address revived calls from his first term for a market-based approach to address climate change—vowing to move forward on his own if Congress does not—and proposed new initiatives to support state energy efficiency efforts and renewable energy.

Sen. Wyden Calls for 'Fresh Look' at Natural Gas Policies Senate Energy and Natural Resources Committee Chairman Wyden calls for “a fresh look” at natural gas policies to reflect the new shale gas boom and the push by energy producers to export liquefied natural gas. Wyden's first hearing as committee chairman focuses on the dramatic turnaround in unconventional natural gas production that has resulted over the past five or six years from advances in hydraulic fracturing and horizontal drilling technologies.

Opposition to EPA Boiler Rule Possible Despite Changes, CRS Says Opposition from Congress and legal challenges to EPA's revised air emissions standards for boilers and incinerators still are possible, despite the agency's efforts to relax the rules, the Congressional Research Service says in a report. “EPA took a number of steps in the direction of its critics, giving affected units an additional two years to comply and making many of the emission limits less stringent,” CRS says. “Whether these changes will be sufficient to mollify the affected industries and the agency's other critics remains to be seen.”

EPA Says Certain 'Fuel Cubes' May Be Treated as Fuels in Incinerators EPA issues a “comfort letter” clarifying that certain “fuel cubes” consisting of paper and polymer-based products, textiles, nonhalogenated plastics, wood, and packaging materials will be considered fuels rather than solid wastes when burned in boilers or solid waste incinerators, which means they would be subject to less stringent Clean Air Act requirements. The agency has been issuing comfort letters generally to affirm its intent to regulate certain wastes as fuels under its nonhazardous secondary materials rule.

GREENWIRE

EPA: Rulemaking chops seen as edge for 2 inside candidates to replace Jackson With U.S. EPA Administrator Lisa Jackson leaving the agency today, two of her lieutenants are being discussed in Washington, D.C., as leading candidates to succeed her. Deputy Administrator Bob Perciasepe and EPA air chief Gina McCarthy -- both with extensive experience at EPA and as state regulators -- have the regulatory chops that environmentalists prize and also have reputations for giving industry a seat at the table for rulemakings. With major regulations in the offing -- notably, greenhouse gas standards for new and existing power plants -- industry representatives say an ability to work with business is badly needed. “I hope the president doesn't pick someone who will be overwhelmed with scoring political points instead of constructive work,” said Scott Segal of Bracewell & Giuliani's Policy Resolution Group. “Frankly, the environmental and the energy arena is polarized enough without that.” A seasoned politician, former Washington Gov. Christine Gregoire (D) has been mentioned as a possible Jackson successor and so has California Air Resources Board Chairwoman Mary Nichols, who was EPA air chief under President Clinton until 1997. But most agency watchers are giving the edge to McCarthy and Perciasepe because of their experience on rulemaking in President Obama's first term and relationships with the electric utility industry. Perciasepe, who now serves as acting administrator, was EPA's top water official and later the top air official under Clinton. He has been chief operating officer at the National Audubon Society and served as Maryland's environment secretary. McCarthy oversaw the office responsible for the agency's highest-profile rulemakings in Obama's first term, including for carbon dioxide, sulfur in gasoline and first-time federal efforts to regulate hydraulic fracturing. She came to EPA after serving as a top state regulator in Connecticut and Massachusetts. McCarthy's gender might also make her an attractive choice for Obama, who has been criticized for nominating white males to his second-term Cabinet. He did nominate a woman, Recreational Equipment Inc.

Fiery W.Va. attorney general ramps up criticism of, threats to EPA West Virginia's new attorney general, Republican Patrick Morrisey, is threatening the Obama administration with more legal action if U.S. EPA doesn't change its “current path” of increased regulation of power plant emissions and coal mines. Morrisey urged President Obama in a letter yesterday to nominate an EPA administrator to replace outgoing chief Lisa Jackson who will change course.

Although many industry advocates have softened their "war on coal" rhetoric since the November elections, Morrissey wrote, "I urge you not to select a person who would aggressively engage in a war against coal." Morrissey has also miffed some West Virginia leaders for threatening litigation against EPA even though Democratic Gov. Earl Ray Tomblin (D) is involved in at least two federal cases against the agency for its enhanced oversight of mines.

NEW YORK TIMES

New York Governor Puts Off Decision on Drilling

ALBANY — Gov. Andrew M. Cuomo is becoming Hamlet on the Shale. On Tuesday, Mr. Cuomo's administration again delayed making a decision on whether to allow hydraulic fracturing, a controversial drilling method used to extract natural gas from rock formations like the Marcellus Shale, which extends from the Appalachian Mountains to New York. Hydraulic fracturing, also known as fracking, has been under review by state regulators since before Mr. Cuomo took office in January 2011. But the governor has had difficulty deciding, vacillating between allowing gas drilling in the Southern Tier of New York — near the Pennsylvania border — and continuing to ban it. In a letter on Tuesday, the state's health commissioner, Dr. Nirav R. Shah, said that a review by his agency of the potential effects on health from the drilling was continuing, and he recommended that the administration not move forward until it was completed. Without the report, the state will not meet a deadline this month to issue a new environmental impact statement, and that will likely require it to start the regulatory process over and begin a new 45-day comment period. Joseph Martens, the commissioner of the State Department of Environmental Conservation, said New York could still choose to issue gas-drilling permits fairly quickly if the Health Department study allayed concerns about risks to the water supply or other environmental hazards. "Science, not emotion, will determine the outcome," Mr. Martens said.

Commentary: Capital Ideas: It's Not Easy Being Green WASHINGTON -- GREEN jobs have long had a whiff of exaggeration to them. The alternative-energy sector may ultimately employ millions of people. But raising the cost of the energy that households and businesses use every day — a necessary effect of helping the climate — is not exactly a recipe for an economic boom. The stronger argument for a major government response to climate change is the more obvious argument: climate change. The continental United States endured its hottest year on record in 2012, and the planet's 13 hottest years have all occurred since 1998. Major storms and wildfires are increasing in many regions. The air in much of China resembles soup. The seas are rising faster than forecast only a few years ago, and the costs of extreme weather are rising, too.

Scientists Explore Options as Polar Bears Face New Threats The surge of hunting that depleted many polar bear populations in the 20th century is largely under control. But just as the species has been recovering from that threat, global warming is creating new pressures through the loss of summer sea ice and other impacts on the bears' preferred maritime habitat. Recent DNA analysis has shown that polar bears are a far older species than was thought even a few years ago, and they clearly are adaptable and resilient. But it's also clear that some populations will have a very hard time in coming decades. What should people do in such cases? I've written previously about a valuable proposal by some scientists to start planning a long-term conservation strategy focused on regions of the Arctic where sea ice is expected to persist even with substantial warming. But a new policy paper in Conservation Letters, "Rapid ecosystem change and polar bear conservation," proposes a series of steps that could kick in a lot sooner — including everything from relocation programs to feeding of starving bears or in some cases "intentional population reduction" — a k a culling. There's a solid look at the paper in Yale Environment 360.

NATIONAL JOURNAL

Obama Begins New Push on Climate Agenda When President Obama addresses Congress in his State of the Union speech tonight, he is widely expected to lay out the details of his plan to take on climate change. Behind the scenes, in the White House and Environmental Protection Agency, the wheels of that plan are already in motion. That's because Obama intends to act on climate change without help from Congress. His efforts to pass a sweeping climate-change bill through Congress cratered in the Democratic-controlled Congress in 2010, and new legislation would have almost no chance of success in the current divided Congress. So the administration's energy and environment officials are gearing up to use the president's executive authority to roll out powerful new EPA rules controlling carbon pollution from existing coal-fired power plants. Sources close to the EPA say they expect a proposed rule will be issued by the end of this year, and EPA officials are already thinking about how it can be crafted to have the biggest environmental impact, cause the least economic harm, and stand up to the tsunami of legal, legislative, and political attacks that are sure to

follow. Obama and his team know full well that environmental regulations on energy are deeply politically unpopular – throughout his reelection campaign, he fought off a fusillade of attacks from Republicans slamming him for supporting so-called “job-killing regulations.” But the president appears to be prepared to take the heat to fight global warming – and this may be the moment in which to do it. “He’s in the unique position now of never needing to run again, and he’s freer to do and say things that he hasn’t before -- in terms of policy action, he’s got to be able to use the executive branch,” said Anthony Leiserowitz, director of the Yale Project on Climate Change Communication, who recently briefed the White House on the latest polling on the public’s view on climate change. “The response I heard is that they’re looking at this very seriously.”